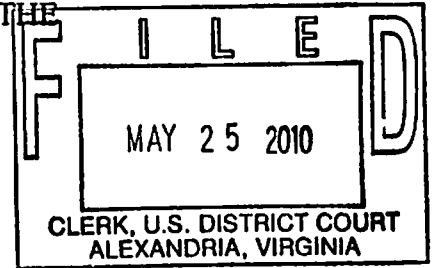


IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

EUGENE ANTHONY THOMAS
a/k/a "Tony THOMAS"

Criminal Case No. 1:10-MJ-309

AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT

I, Mark Ambrozy, being duly sworn, depose and state that:

I. BACKGROUND

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and have been so employed since August 1999. I was previously employed with the Richmond Police Department in Richmond, Virginia, for over ten and one half years, where my work focused primarily on firearm and narcotics related crimes.
2. I am currently assigned to the ATF Falls Church II Field Office in the Washington Field Division, where one of my primary duties is the enforcement of Federal firearm laws. While employed with ATF, I have participated in numerous firearm related investigations with several police departments throughout Northern Virginia involving violent crimes. In my capacity as a law enforcement officer, I have conducted, and participated in, investigations of individuals involved in the illegal possession and illegal use of firearms resulting in convictions for violations of Federal and State firearms laws

throughout the Commonwealth of Virginia.

3. I submit this affidavit in support of a criminal complaint and arrest warrant charging Eugene Anthony THOMAS, aka "TONY THOMAS," with knowingly and unlawfully delaying and affecting commerce as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery as that term is defined in Title 18, United States Code 1951, in that the defendant Eugene Anthony THOMAS did take and obtain personal property consisting of cash, from the presence of an employee of a business against their will by means of actual and threatened force, violence, and fear of immediate and future injury to their persons, while the employee engaged in commercial activities as a clerk for a business that affects interstate commerce, in violation of 18 U.S.C. §1951.

4. I have not included every fact that I know about Eugene Anthony THOMAS and his illegal activities. Rather, I included only those facts I believe are needed to demonstrate probable cause for the complaint and warrant I seek. The facts and information contained in this affidavit are based upon my personal knowledge of this investigation, on information conveyed to me by other law enforcement officials, information conveyed to me during the interview of a suspect and on my review of records, documents and other physical evidence related to the defendant's activities.

II. PROBABLE CAUSE

5. On or about April 14, 2010, at approximately 7:20 AM, a subject, resembling THOMAS entered the BP gas station located at 5000 Wilson Boulevard in Arlington County, Virginia, within the Eastern District of Virginia. At this time, the subject asked and proceeded to use the restroom facilities. The subject then left the premises after

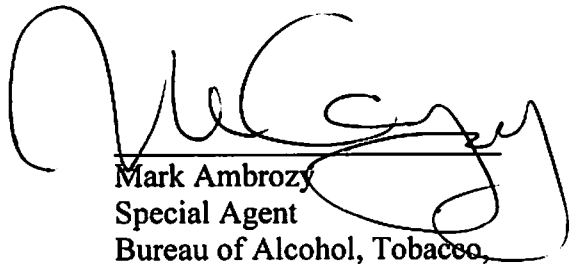
exiting the restroom.

6. That same day, on or about April 14, 2010, at approximately 8:00 AM the same subject came back inside of the gas station and approached the clerk. The subject gave the clerk a ten dollar bill and requested change. The clerk opened the cash register to give the subject a five dollar bill and five one dollar bills. The suspect then pulled out a handgun with his right hand and pointed it at the clerk. The subject demanded the clerk take out the whole drawer and all of the money inside of the cash register. The clerk took out the drawer and set it down. The subject then flipped up the arms of the cash drawer and removed the cash with his left hand. Approximately \$200 was stolen from the register at this time. The subject fled from the business on foot. Arlington Police Department personnel responded to the robbery and processed the crime scene.

7. I have reviewed BP security video and still-photographs of the robbery, the still photos show THOMAS with what appears to be a firearm in his right hand. I believe the individual in the video is EUGENE ANTHONY THOMAS because I have reviewed a known photograph of EUGENE ANTHONY THOMAS and personally observed THOMAS during police interviews.

8. I spoke with the manager of the BP gas station who indicated that his station sells BP brand gasoline, which is a worldwide energy corporation. This particular station receives its gasoline from Eastern Petroleum Corporation, located in Annapolis, Maryland. Further, the gasoline is delivered to this BP station by Colonial Pipeline Company, headquartered in Alpharetta, Georgia. As a result of the robbery by THOMAS, the BP station was forced to close to the public for approximately two hours, thus affecting interstate commerce.

9. Based on the forgoing information, the affiant has probable cause to believe that on or about April 14, 2010, in Arlington County, Virginia, within the Eastern District of Virginia, Eugene Anthony THOMAS, a/k/a "Tony Thomas," did knowingly and unlawfully delay and affect commerce as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery as that term is defined in Title 18, United States Code 1951, in that the defendant Eugene Anthony THOMAS did take and obtain personal property consisting of cash, from the presence of an employee of a business against their will by means of actual and threatened force, violence, and fear of immediate and future injury to their persons, while the employee engaged in commercial activities a clerk for a business that affects interstate commerce, in violation of 18 U.S.C. §1951.



Mark Ambrozy
Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn and subscribed to before me
This 25th day of May, 2010

/s/Thomas Rawles Jones, Jr.

The Honorable T. Rawles Jones, Jr.
United States Magistrate Judge